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September 11, 2020

## VIA ECF

The Honorable Lewis A. Kaplan  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan  
500 Pearl Street  
New York, New York 10007

*Re: Carroll v. Trump*, 20-cv-07311 (LAK) (JLC)

Dear Judge Kaplan:

The parties have met and conferred pursuant to the Court's order of September 10, 2020 (ECF 9).

The parties have agreed to the following briefing schedule:

- October 5, 2020: Deadline for Plaintiff to file Opposition to Motion to Substitute, or in the alternative, Motion to Strike the Attorney General's Certification;
- October 19, 2020: Deadline for the Government to file a reply brief in support of its Motion to Substitute and in Opposition to Plaintiff's Motion to Strike the Attorney General's Certification.

In addition, the parties have discussed Plaintiff's request for targeted discovery into contextual facts concerning Defendant's alleged defamatory statement issued on June 21, 2019. The United States opposes Plaintiff's request for discovery. Plaintiff proposes that the parties assess whether they can reach agreement on a stipulation. *See e.g.*, Stipulation, ECF No. 30-1, *Knight Institute v. Trump*, No. 17-CV-5205 (S.D.N.Y. Sept. 28, 2017). If that does not prove possible, Plaintiff will promptly advise the Court so that any disputes over requested discovery and any motions to modify the briefing schedule can be resolved expeditiously.

KAPLAN HECKER & FINK LLP

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Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Roberta', with a stylized flourish extending to the right.

Roberta A. Kaplan, Esq.

cc: Counsel of Record (by ECF)